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## Central Valley Regional Water Quality Control Board

30 August 2017

WDID: 5A04NC00042

Mr. Mike Thomas  
Thomas Farms  
3030 West Sacramento Ave.  
Chico, CA 95973

**CERTIFIED MAIL:**  
7014 0510 0001 3246 9601

### NOTICE OF APPLICABILITY

**WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS,  
WINERIES, AND RELATED AGRICULTURAL PROCESSORS  
WITHIN THE CENTRAL VALLEY REGION  
ORDER R5-2015-0005-0089  
THOMAS FARMS  
BUTTE COUNTY**

On 5 February 2015, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted the *Conditional Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region, Order R5-2015-0005* (the Waiver).

We are in receipt of your completed Report of Waste Discharge (RWD) dated 14 July 2017, which stated that you intend to comply with the Tier 2 conditions of the Waiver. Based on the information provided in the RWD, we have determined that the discharge meets the required conditions for approval under the Waiver. You are hereby assigned Order **R5-2015-0005-0089**. A copy of the Waiver is enclosed and also available at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/#waivers](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers)

Please familiarize yourself with the contents of the Waiver, including the Conditions of Discharge (Waiver Attachment A) and Monitoring and Reporting Program (Waiver Attachment B). Small food processor waste must be managed and discharged in accordance with the requirements contained in the Conditions of Discharge and with the information submitted in the RWD.

### DISCHARGE DESCRIPTION

Mike Thomas (Discharger) owns and operates Thomas Farms located at 3030 W. Sacramento Ave., in Chico, Butte County. The Discharger will hull approximately 600 tons of walnuts each year for the next five years, and estimates that approximately 60 thousand gallons of process wastewater will be produced annually. Wastewater generated from the hulling and general washing activities will be collected and the effluent will be applied to the land application area either by portable tank and sprayer, or as part of hull dispersal operations via mechanical spreader. The land application area consists of a 22 acre walnut grove. Approximately 50 tons

of residual solids (hulls, sticks, nut pieces) will be produced annually. The solids along with approximately 57,000 gallons of process water will be applied to the land application area with a mechanical spreader during hulling season. The Facility's Standard Industrial Classification (SIC) code is 0723 which is not designated as requiring coverage under the industrial storm water permit.

The small food processor enrollment into Tier 2 allows land application of up to 100,000 gallons of wastewater per year for irrigation of landscaping or crops and land application of residual solids associated with that volume of wastewater. Any process wastewater or residual solids generated in excess of those amounts must be disposed of off-site at an appropriately permitted facility. If you wish to land apply more wastewater or residual solids, you must submit a new application to obtain coverage under Tier 3 of the Waiver prior to increasing the discharge volume.

### **MONITORING AND REPORTING**

Attachment B of the Waiver includes specific monitoring and reporting requirements that you must comply with, including routine monitoring and reporting to the Central Valley Water Board. Please review the Monitoring and Reporting Program closely and establish the appropriate record keeping system so that you are able to complete the required Annual Monitoring Report form, which is also contained in Attachment B of the Waiver.

By **February 1 of each year**, the Annual Monitoring Report must be submitted to our office, even if there is no discharge during the reporting year. The 2017 Annual Monitoring Report is due by **1 February 2018**.

### **GENERAL INFORMATION AND REQUIREMENTS**

The Waiver includes specific and general conditions with which you must comply and you must maintain control over the discharge and operate in accordance with the information provided in your RWD and this Notice of Applicability (NOA).

Please review this NOA carefully to ensure that it completely and accurately reflects the facility name, location, and details of the proposed discharge. Failure to comply with the requirements of the Waiver may result in enforcement action as authorized by provisions of the California Water Code, which could include civil liability. Discharge of wastes not described in the RWD is prohibited. If the method of waste disposal changes from that described in your RWD, you must submit an updated RWD to describe the new operation.

Please note that the Waiver will expire on **5 February 2020**, after which you must do one of the following:

1. Submit a new RWD to obtain coverage under a subsequently adopted waiver,
2. Submit a RWD to apply for individual or general Waste Discharge Requirements, or
3. Cease the discharge.

## DOCUMENT SUBMITTALS

All monitoring reports and other correspondence should be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to:

[centralvalleyredding@waterboards.ca.gov](mailto:centralvalleyredding@waterboards.ca.gov)

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Facility Name: Thomas Farms		
Program: Non-15 Compliance	Order: R5-2015-0005-0089	WDID: 5A04NC00042

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board  
ECM Mailroom  
364 Knollcrest Drive, Suite 205  
Redding, CA 96002

If you find it necessary to make a change to your permitted operations, or have any additional questions please contact Ron Falkowski at [ron.falkowski@waterboards.ca.gov](mailto:ron.falkowski@waterboards.ca.gov), (530) 224-3227, or by mail at the footer address.

*Original signed by Clint Snyder*

(for) Pamela C. Creedon  
Executive Officer

RF: ab

Enclosures: Waiver of Waste Discharge Requirements, Order R5-2015-0005  
Monitoring and Reporting Program R5-2015-0005